

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

In re:

Leslie Clayton Buesing
Suzanne Noblitt Buesing

Soc.Sec.No.: xxx-xx-5230 and xxx-xx-1382
Mailing address: 1136 Fieldstone Drive
Mebane, NC 27302

Case No. 09-05622-8-JRL
Chapter 13

Debtors.

OPPOSITION TO MOTION TO DISMISS

NOW COME the DEBTORS, by and through counsel undersigned, who hereby oppose the Motion to Dismiss, dated 9/18/09, filed by the Chapter 13 Trustee, in its entirety. In response to the specific issues raised in the Trustee's Motion, the Debtors offer the following:

Delinquency in Plan Payments

The Debtors admit being delinquent in payments due under the Chapter 13 plan, but they offer the following proposal to cure this delinquency:

1. The Debtors shall resume making their "**regular**" Chapter 13 plan payments in the amount of \$4,165.00, starting with the payment that comes due on 10/1/09.

Other Issues

The Debtors are gathering the requested information to provide to the Trustee.

WHEREFORE, the Debtors pray that the Court deny the Trustee's Motion to Dismiss, based upon the response and proposal set forth above; and that it set this matter for hearing; and that it grant such other and further relief which it deems just, proper and equitable.

Dated: October 8, 2009.

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s John T. Orcutt

John T. Orcutt, Attorney
N.C. State Bar No.: 10212
6616-203 Six Forks Road
Raleigh, NC 27615
Tel. No.: (919) 847-9750

CERTIFICATE OF SERVICE

I, Jennifer Thorne, of the Law Offices of John T. Orcutt, P.C., do hereby certify, under penalty of perjury, that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on October 8, 2009, I served copies of the foregoing Opposition to Motion to Dismiss, by automatic electronic noticing upon the following Trustee:

John F. Logan
Chapter 13 Trustee

by regular U.S. mail, upon the Debtors at the following address:

Leslie Clayton Buesing
Suzanne Noblitt Buesing
1136 Fieldstone Drive
Mebane, NC 27302

/s Jennifer Thorne

Jennifer Thorne